

November 18, 2009
IT IS SO ORDERED.
s/David D. Dowd, Jr.
U.S. District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SUZANNE W. COHEN,)	CASE NO.: 1:08-CV-702
)	
Plaintiff,)	JUDGE DAVID D. DOWD, JR.
)	
v.)	
)	
CLEVELAND COMMERCE CENTER,)	<u>STIPULATION OF DISMISSAL</u>
INC., et al.,)	
)	
Defendants.)	

Plaintiffs William R. Cohen and Thomas F. Cohen, as Co-Trustees of the Suzanne W. Cohen Trust ("Plaintiffs"), by and through their respective undersigned counsel, hereby stipulate, pursuant to the terms of a Settlement Agreement and General Release among the parties (the "Settlement Agreement") and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, that the claims of Plaintiffs are dismissed with prejudice, with each party to bear its, his or her own costs. The Court shall retain jurisdiction over the Settlement Agreement.

/s/ Karl E. May
Karl E. May (0033294)
Frank P. Nagorney, Esq.
Cowden & Humphrey
4415 Euclid Avenue, Suite 200
Cleveland, OH 44103
Phone: 216.376.1305; Fax: 216.241.2881
kmay@cowdenlaw.com
fnagorney@cowdenlaw.com
*Attorneys for Defendants Deborah W.
Garson, Fiduciary of the Estate of Peter K.
Garson, Michael Garson and Marjorie
Garson*

/s/ Mark R. Jacobs
Michael H. Diamant (0000119)
Mark R. Jacobs (0071228)
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, OH 44114
Phone: 216.241.2838; Fax: 216.241.3707
mdiamant@taftlaw.com
mjacobs@taftlaw.com
Attorneys for Plaintiffs

/s/ John Winship Read

Anthony J. O'Malley (0017506)

John Winship Read (0030827)

Elizabeth A. Ratliff (0075673)

Vorys, Sater, Seymour and Pease LLP

2100 One Cleveland Center

1375 East 9th St.

Cleveland, OH 44114

Phone: 216.479.6191; Fax: 216.937.3769

ajomalley@vorys.com;

jwread@vorys.com; earatliff@vorys.com

Attorneys for Defendant Cleveland

Commerce Center, Inc.